BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.08.2024

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P(MD).No.19465 of 2024

B.Dhanalakshmi ... Petitioner

Vs.,

1.The Regional Manager,
Indian Bank,
Nos.100 and 101, East Aaani Mooal Street,
Madurai.

2.The Manager,
Indian Bank,
K.Pudur Branch,
No.19, DRO Colony Main Road,
Madurai -7.

3.The Inspector of Police,
Cyber Crime Police Station,
Siliguri Police Commissionerate,
Siliguri, West Bengal,
India.
Email: -pscyber-smp@policewb.gov.in ... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the respondents 1 and 2 to de-freezing of petitioner's savings bank account in Account No.408475097 within time stipulated by this Court.

For Petitioner : Mr.C.Jeganathan

For Respondents : Mr.C.Karthik (for R1 & R2)

ORDER

This writ petition has been filed seeking for issuance of writ of mandamus directing the respondents 1 and 2 to de-freeze the petitioner's savings bank account in Account No.408475097 within time stipulated by this Court.

2. It is the case of the petitioner that she is having a savings account in the second respondent bank in A/C No.408475097. However, her account has now been frozen by the second respondent on the basis of the letter sent by the third respondent stating that fraudulently transferred a sum of Rs.2,000/- to her account. According to the petitioner, on 02.07.2024, except two entries, no other amount whatsoever was received or credited in her account, particularly from UCO Bank as alleged by the third respondent. The amount of Rs.2,000/- has been credited from the account(IOB) of one Siva, who is the student of the petitioner. Therefore, seeks direction of this Court to defreeze her account.

3. The learned counsel for the second respondent would submit that the respondents 1 and 2 acted only on the basis of the communication sent by the third respondent.

4. Heard both sides and perused the materials available on record.

5. At the outset, only based on the communication sent by the third respondent, the second respondent acted upon. The third respondent has communicated the second respondent stating that an amount of Rs.2,000/- has been fraudulently transferred to the petitioner's account from the complainant's bank account, namely UCO Bank A/C No.06003211101840, IFSC No.UCBA0000600 on 02.07.2024. The communication clearly indicated that so called crime amount of Rs.2,000/- has been transferred from UCO Bank. However, on perusal of the records even the statement of the second respondent, on 02.07.2024 no amount has been credited from UCO Bank to the petitioner's savings account. In this view of the matter, the respondents 1 and 2 are directed to defreeze the account of the petitioner.

6. With the above direction, the Writ Petition stands allowed. No costs.

30.08.2024

NCC : Yes/No
Index : Yes/No
Rmk

N.SATHISH KUMAR, J.

Rmk

To
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